

PETER C. WOLFF, JR. #2332
Federal Public Defender
District of Hawaii

ALEXANDER SILVERT
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Attorney for Petitioner
REGINA SMITH

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

REGINA SMITH,) CIV. NO. 04-00091 HG/KSC
)
Petitioner,) MOTION BY PETITIONER
) REQUESTING ADDITIONAL TEN
vs.) DAYS TO OBJECT TO
) MAGISTRATE'S FINDINGS AND
JOHN F. PEYTON, Director,) RECOMMENDATION ;
Department of Public Safety, State of) CERTIFICATE OF SERVICE
Hawaii; and MILLICENT)
NEWTON-EMBRY, Warden, Mabel)
Bassett Correctional Center,)
)
Respondents.)
)

**MOTION BY PETITIONER REQUESTING
TEN ADDITIONAL DAYS TO OBJECT TO
MAGISTRATE'S FINDINGS AND RECOMMENDATIONS**

Petitioner hereby moves for an additional ten days to object to the Magistrate's Findings and Recommendation filed on March 9, 2007. Petitioner has informed Respondents of this request and they have no objection. The Magistrate's Findings and Recommendation are 47 pages denying all of the issues raised by Petitioner in her habeas corpus petition. In denying all of Petitioner's claims, the Magistrate sometimes bases the denial on several different grounds.

Given the complexity of the issues presented and the various reasons offered by the Magistrate in denying each grounds of her petition, and given Petitioner's attorney workload, which currently includes a report due to the Administrative Office for the Courts, Petitioner respectfully asks for an additional ten days to object to the Magistrate's report.

Wherefore, Petitioner asks that her objections be due on March 30, 2007.

DATED: Honolulu, Hawaii, March 19, 2007.

/s/ Alexander Silvert
ALEXANDER SILVERT
Attorney for Petitioner
REGINA SMITH

CERTIFICATE OF SERVICE

I, ALEXANDER SILVERT, hereby certify that on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses on March 19, 2007:

Served Electronically through CM/ECF:

DANIEL H. SHIMIZU
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Deputy Prosecuting Attorney
City and County of Honolulu
1060 Richards Street
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, March 19, 2007.

/s/ Alexander Silvert
ALEXANDER SILVERT
Attorney for Petitioner
REGINA SMITH